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PCT#

U.S. APPLICATION NUMBER NO. 10/521,619	FIRST NAMED APPLICANT Dale R Du Bois	ATTY. DOCKET NO. A-71748/MSS (463035-770)
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INTERNATIONAL APPLICATION NO. PCT/US03/21575

I.A. FILING DATE 07/10/2003	PRIORITY DATE 07/15/2002
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32940

DORSEY & WHITNEY LLP

555 CALIFORNIA STREET, SUITE 1000

SUITE 1000

SAN FRANCISCO, CA 94104-1513

File A-71748 MSSDue Date 9/05/05 (40)Type Missing Parts Refs _____

Date Mailed: 07/05/2005

CONFIRMATION NO. 2146

371 FORMALITIES LETTER



OC000000016445449

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/14/2005
- Copy of the International Search Report filed on 01/14/2005
- Oath or Declaration filed on 01/14/2005
- Request for Immediate Examination filed on 01/14/2005
- U.S. Basic National Fees filed on 01/14/2005
- Priority Documents filed on 01/14/2005
- Specification filed on 01/14/2005
- Claims filed on 01/14/2005
- Abstracts filed on 01/14/2005
- Drawings filed on 01/14/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/521,619	PCT/US03/21575	A-71748/MSS (463035-770)

FORM PCT/DO/EO/905 (371 Formalities Notice)

<h1 style="margin: 0;">TRANSMITTAL FORM</h1> <p style="margin: 5px 0;">(to be used for all correspondence after initial filing)</p>		Application No. 10/521,619				
		Filing Date January 14, 2005				
		First Named Inventor Dale R. Du Bois				
		Examiner Name To be Assigned				
		Group Art Unit To Be Assigned				
Total Number of Pages in This Submission 110		Attorney Docket No. A-71748/MSS (463035-770)				
ENCLOSURES (check all that apply)						
<table border="0" style="width: 100%;"> <tr> <td style="width: 33%; vertical-align: top;"> <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached – check for \$2,160.00 <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.53(b) (15 pgs. in counterparts) </td> <td style="width: 33%; vertical-align: top;"> <input type="checkbox"/> Assignment Papers (for an Application) (3 pgs.) <input type="checkbox"/> Drawing(s) (Figs. ____) and Cover Sheet to Draftsperson <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition for Extension of Time – 5 Months (1 pg.) <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Executed Power of Attorney (1 pg.) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, No. of CD(s) ____ </td> <td style="width: 33%; vertical-align: top;"> <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Petition under 37 CFR 1.47 with Exhibits A, B, and C; Statement of Facts Petition; Copy of Notice to File Missing Parts mailed July 5, 2005 (2 pgs.), check in the amount of \$2,160.00, and self-addressed stamped Postcard. </td> </tr> </table>				<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached – check for \$2,160.00 <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.53(b) (15 pgs. in counterparts)	<input type="checkbox"/> Assignment Papers (for an Application) (3 pgs.) <input type="checkbox"/> Drawing(s) (Figs. ____) and Cover Sheet to Draftsperson <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition for Extension of Time – 5 Months (1 pg.) <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Executed Power of Attorney (1 pg.) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, No. of CD(s) ____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Petition under 37 CFR 1.47 with Exhibits A, B, and C; Statement of Facts Petition; Copy of Notice to File Missing Parts mailed July 5, 2005 (2 pgs.), check in the amount of \$2,160.00, and self-addressed stamped Postcard.
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<div style="border: 1px solid black; padding: 2px;"> Remarks </div>						
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm or Individual name	Maria S. Swiatek, Esq., Reg. No. 37,244 DORSEY & WHITNEY LLP 555 California Street, Suite 1000 San Francisco, CA 94104-1513 Telephone: 650-857-1717 Facsimile: 650-857-1288		Customer Number 32940			
Signature						
Date	February 6, 2006					
CERTIFICATE OF MAILING						
I hereby certify that this correspondence is being deposited with the United States Postal Service with Sufficient postage as first class mail in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:			<div style="border: 1px solid black; padding: 2px;">02/06/06</div>			
Typed or printed name	Kari Bateman Aguiar					
Signature		Date	February 6, 2006			

APPLICATION FEE TRANSMITTAL SHEET (FY 2005)

Complete if Known

Application No.	10/521,619
Filing Date	January 14, 2005
First Named Inventor	Dale R. Du Bois
Group Art Unit	To Be Assigned
Examiner Name	To Be Assigned
Atty. Docket Number	A-71748/MSS (463035-770)

METHOD OF PAYMENT (Check One)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
 Deposit Account No.: 50-2319
 Deposit Account Name: DORSEY & WHITNEY LLP
☒ Charge any additional fee required under 37 C.F.R. 1.16 and 1.17 to:
 Deposit Account No.: 50-2319
 Deposit Account Name: DORSEY & WHITNEY LLP
☐ Applicant claims small entity status (see 37 C.F.R. 1.27)
2. ☒ Check Enclosed in the amount of \$1,190.00

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee	Small Entity Fee	Fee Description
160	80	<input type="checkbox"/> Provisional Filing Fee
790	395	<input type="checkbox"/> Utility Filing Fee
350	175	<input type="checkbox"/> Design Filing Fee
790	395	<input type="checkbox"/> Reissue Filing Fee

Subtotal (1)

2. EXTRA* CLAIM FEES

Total	Indep.	Multiple Dependent Claims	Number Claims	Prior	Extra	Fee from Below*	Fee Paid
				-	=	x	=
				-	=	x	=
				=	=	x	=

Subtotal (2)

*Calculation of Extra Claim Fees

Large Entity Fee	Small Entity Fee	Fee Description
50	25	Claims in excess of 20
200	100	Independent claims in excess of 3
360	180	Multiple dependent Claim
200	100	Reissue independent claims over original patent
50	25	Reissue claims in excess of 20 and over original patent

FEE CALCULATION (Continued)

3. ADDITIONAL FEES

Large Entity Fee	Small Entity Fee	Fee Description	Fee paid
50	25	Surcharge - late provisional filing fee or cover sheet	
130	65	Surcharge - Late non-provisional filing fee or oath	
180	180	Submission of IDS	
40	40	Recording each patent assignment per property (times number of properties)	
120	60	Extension for reply within first month	
450	225	Extension for reply within second month	
1,020	510	Extension for reply within third month	
1,590	795	Extension for reply within fourth month	
2,160	1,080	Extension for reply within fifth month	\$2,160.00
770	385	Submission After Final 1.129	
330	165	Notice of Appeal	
330	165	Filing a brief in support of an appeal	
290	145	Request for oral hearing	
110	55	Terminal Disclaimer Fee	
130	130	Petitions to the Commissioner	
50	50	Petitions related to provisional applications	
1,330	665	Utility/Reissue Issue Fee (including advance copies)	
480	240	Design Issue Fee (inc. advance copies)	
770	385	Request for Continued Examination (RCE)	
300	300	Publication fee for early, voluntary, or normal publication	
300	300	Publication fee for re-publication	
110	55	Petition to Revive - unavoidable	
1,330	665	Petition to Revive - unintentional	
OTHER FEE (specify): Additional Claim Fee			
Subtotal (3)			\$2,160.00
Total Amount of Payment:			\$2,160.00

Submitted by:

Name: Maria S. Swiatek, Reg. No. 37,244

Telephone: (650) 857-1717

DORSEY & WHITNEY LLP

555 California Street, Suite 1000
San Francisco, California 94104-1513

Customer Number 32940

Signature: 

Date: February 6, 2006